

Application No.: 10/665,203
Filing Date: September 18, 2003

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listing, of claims in the application:

Claims 1-29 (Cancelled).

Claim 30 (Currently amended): A composition comprising rapamycin and a second component comprising polyethylene glycol, wherein the composition is suitable for ophthalmic administration by injection.

Claim 31 (Previously presented): The composition of claim 30, wherein the second component further comprises ethanol.

Claim 32 (Previously presented): The composition of claim 30 or claim 31, wherein the composition is a solution of rapamycin dissolved in the second component.

Claim 33 (Previously presented): The composition of claim 30 or claim 31, wherein the composition is a suspension of rapamycin in the second component.

Claim 34 (Previously presented): The composition of claim 30, wherein the composition contains an amount of rapamycin effective to treat the wet form of age-related macular degeneration in a human.

Claim 35 (Previously presented): The composition of claim 30, wherein the composition contains an amount of rapamycin effective to prevent the wet form of age-related macular degeneration in a human.

Claim 36 (Previously presented): The composition of claim 35, wherein the composition contains an amount of rapamycin effective to prevent the wet form of age-related macular degeneration in a human having a predisposition to develop the wet form of age-related macular degeneration.

Claim 37 (Previously presented): The composition of claim 30, wherein the composition contains an amount of rapamycin effective to inhibit the transition in a human from

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the dry form of age-related macular degeneration to the wet form of age-related macular degeneration.

Claim 38 (Currently amended): A composition of rapamycin dissolved in polyethylene glycol and ethanol, wherein the composition contains an amount of rapamycin effective to treat the wet form of age-related macular degeneration in a human, and wherein the composition is suitable for ophthalmic administration by injection.

Claim 39 (Currently amended): A polyethylene glycol based ocular composition comprising polyethylene glycol and a therapeutic agent, wherein the composition is suitable for ophthalmic administration by injection.

Claim 40 (Previously presented): The composition of claim 39, wherein the therapeutic agent is an immunophilin binding active agent.

Claim 41 (Previously presented): The composition of claim 40, wherein the immunophilin binding active agent is selected from the group consisting of rapamycin, tacrolimus, everolimus, pimecrolimus, SDZ-RAD, CCI-779, AP23841, ABT-578, and analogs and derivatives thereof.

Claim 42 (Previously presented): The composition of claim 41, wherein the immunophilin binding active agent is selected from the group consisting of rapamycin, tacrolimus, everolimus, pimecrolimus, SDZ-RAD, CCI-779, AP23841, and ABT-578.

Claim 43 (Previously presented): The composition of claim 42, wherein the immunophilin binding compound is rapamycin.

Claim 44 (Previously presented): The composition of claim 39, further comprising ethanol.

Claim 45 (Previously presented): The composition of claim 39, wherein the polyethylene glycol based ocular composition is a solution in which the therapeutic agent is dissolved in the polyethylene glycol.

Claim 46 (Previously presented): The composition of claim 39, wherein the polyethylene glycol based ocular composition is a liquid composition.

Claim 47 (Previously presented): The composition of claim 39, wherein the polyethylene glycol based ocular composition is a suspension.

Claim 48 (Previously presented): The composition of claim 39, wherein the polyethylene glycol based ocular composition contains an amount of therapeutic agent effective to treat the wet form of age-related macular degeneration in a human.

Claim 49 (Previously presented): The composition of claim 39, wherein the polyethylene glycol based ocular composition contains an amount of therapeutic agent effective to prevent the wet form of age-related macular degeneration in a human having a predisposition to develop the wet form of age-related macular degeneration.

Claim 50 (Previously presented): The composition of claim 39, wherein the polyethylene glycol based ocular composition contains an amount of therapeutic agent effective to inhibit the transition in a human from the dry form of age-related macular degeneration to the wet form of age-related macular degeneration.

Claim 51 (Currently amended): A method for treating a human having the wet form of age-related macular degeneration, the method comprising administering to the human a composition ~~in an amount effective to treat the age-related macular degeneration, wherein the composition comprises~~ comprising an effective amount of rapamycin to treat the age-related macular degeneration dissolved in polyethylene glycol ~~and ethanol~~.

Claim 52 (Previously presented): The method of claim 51, wherein the composition is administered by placement of the composition into the vitreous of the human.

Claim 53 (Previously presented): The method of claim 52, wherein the composition is administered by intravitreal injection.

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Claim 54 (Previously presented): The method of claim 51, wherein the composition is administered by placement of the composition between the conjunctiva and the sclera of the human.

Claim 55 (Previously presented): The method of claim 54, wherein the composition is administered by subconjunctival injection.

Claim 56 (Previously presented): The method of claim 51, further comprising treating the human with an additional treatment selected from administration of a composition comprising Lucentis, administration of a composition comprising an antibody to the same target as Lucentis, administration of a composition comprising Macugen, and administration of a composition comprising Visudyne™ and treatment with photodynamic therapy.

Claim 57 (Currently amended): A method for preventing the wet form of age-related macular degeneration in a human, the method comprising administering to a human a composition ~~in an amount effective to prevent the wet form of age-related macular degeneration, wherein the composition comprises comprising an effective amount of rapamycin to prevent the wet form of age-related macular degeneration~~ dissolved in polyethylene glycol ~~and ethanol~~.

Claim 58 (Previously presented): The method of claim 57, wherein the composition is administered by placement of the composition into the vitreous of the human.

Claim 59 (Previously presented): The method of claim 58, wherein the composition is administered by intravitreal injection.

Claim 60 (Previously presented): The method of claim 57, wherein the composition is administered by placement of the composition between the conjunctiva and the sclera of the human.

Claim 61 (Previously presented): The method of claim 60, wherein the composition is administered by subconjunctival injection.

Claim 62 (Previously presented): The method of claim 57, wherein the method further comprises identifying a human with a predisposition to develop the wet form of age-related

macular degeneration and administering the composition to the identified human to prevent the wet form of age-related macular degeneration.

Claim 63 (Currently amended): A method for inhibiting the transition in a human from the dry form of age-related macular degeneration to the wet form of age-related macular degeneration, the method comprising administering to a human having the dry form of age-related macular degeneration a composition ~~in an amount effective to inhibit the transition to the wet form of age-related macular degeneration, wherein the composition comprises~~ comprising an effective amount of rapamycin to inhibit the transition to the wet form of age-related macular degeneration dissolved in polyethylene glycol ~~and ethanol~~.

Claim 64 (Previously presented): The method of claim 63, wherein the composition is administered by placement of the composition into the vitreous of the human.

Claim 65 (Previously presented): The method of claim 64, wherein the composition is administered by intravitreal injection.

Claim 66 (Previously presented): The method of claim 63, wherein the composition is administered by placement of the composition between the conjunctiva and the sclera of the human.

Claim 67 (Previously presented): The method of claim 66, wherein the composition is administered by subconjunctival injection.

Claim 68 (Previously presented): A method for treating an angiogenesis-mediated disease or condition of the retina or choroid in a mammal, the method comprising administering to the mammal an effective amount of a composition according to claim 30 or claim 39.

Claim 69 (Previously presented): The method of claim 68, wherein the mammal is a human and the angiogenesis-mediated disease or condition of the retina or choroid is selected from the group consisting of choroidal neovascularization, diabetic retinopathy, macular degeneration, the dry form of age-related macular degeneration, and the wet form of age-related macular degeneration.

Claim 70 (Previously presented): The method of claim 69, wherein the angiogenesis-mediated disease or condition of the retina or choroid is the wet form of age-related macular degeneration.

Claim 71 (Previously presented): The method of claim 68, wherein the composition is administered by placement of the composition into the vitreous of the human.

Claim 72 (Previously presented): The method of claim 71, wherein the composition is administered by intravitreal injection.

Claim 73 (Previously presented): The method of claim 68, wherein the composition is administered by placement of the composition between the conjunctiva and the sclera of the human.

Claim 74 (Previously presented): The method of claim 73, wherein the composition is administered by subconjunctival injection.

Claim 75 (Previously presented): The method of claim 68, further comprising treating the human with an additional treatment selected from administration of a composition comprising Lucentis, administration of a composition comprising an antibody to the same target as Lucentis, administration of a composition comprising Macugen, and administration of a composition comprising Visudyne™ and treatment with photodynamic therapy.

Claim 76 (Previously presented): A method to treat a disease affecting the choroid or retina of an eye in a patient having diabetic retinopathy or age related macular degeneration, the method comprising administering to the eye a composition comprising between 0.25% (w/w) to 2.5% (w/w) of rapamycin in a pharmaceutically acceptable topical formulation for a duration to achieve an amount of rapamycin in the choroid or retina sufficient to treat the disease.

Claim 77 (Previously presented): The method of claim 76, wherein the composition comprises 0.25% (w/w) of rapamycin.

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Claim 78 (Previously presented): The method of claim 76, wherein the composition comprises 2.5% (w/w) of rapamycin.

Claim 79 (Previously presented): A method to treat a disease affecting the choroid or retina of an eye in a patient having diabetic retinopathy or age related macular degeneration, the method comprising administering to the eye a composition comprising between 0.1% (w/w) to 2.5% (w/w) of rapamycin in a pharmaceutically acceptable topical formulation for a duration to achieve an amount of rapamycin in the choroid or retina sufficient to treat the disease.

Claim 80 (Previously presented): The method of claim 79, wherein the composition comprises 0.1% (w/w) of rapamycin.

Claim 81 (Previously presented): The method of claim 79, wherein the composition comprises 1% (w/w) of rapamycin.

Claim 82 (Previously presented): A method to treat a disease affecting the choroid or retina of an eye in a patient having diabetic retinopathy or age related macular degeneration, the method comprising administering to the eye a composition comprising between 0.1% (w/w) to 5% (w/w) of rapamycin in a pharmaceutically acceptable topical formulation for a duration to achieve an amount of rapamycin in the choroid or retina sufficient to treat the disease.

Claim 83 (Previously presented): The method of claim 82, wherein the composition comprises 2% of rapamycin.

Claim 84 (Previously presented): A method to treat a disease affecting at least one of the choroid, retina, or uvea of an eye in a patient having diabetic retinopathy, age related macular degeneration, or retinitis pigmentosa, the method comprising administering to the eye a composition comprising between 0.1% (w/w) to 5% (w/w) of rapamycin in a pharmaceutically acceptable topical formulation for a duration to achieve an amount of rapamycin in the choroid, retina, or uvea sufficient to treat the disease.

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Claim 85 (Previously presented): The method of claim 84, wherein the composition comprises 2% of rapamycin.

Claim 86 (Previously presented): A method to treat a disease affecting the choroid or retina of an eye in a patient having diabetic retinopathy or age related macular degeneration, the method comprising administering to the eye a composition comprising between 0.1% (w/w) to 5% (w/w) of a therapeutic agent selected from the group consisting of immunophilin binding compounds in a pharmaceutically acceptable topical formulation for a duration to achieve an amount of the therapeutic agent in the choroid or retina sufficient to treat the disease.

Claim 87 (Previously presented): The method of claim 86, wherein the therapeutic agent is selected from the group consisting of rapamycin, tacrolimus, everolimus, pimecrolimus, SDZ-RAD, CCI-779, AP23841, ABT-578, and analogs and derivatives thereof.

Claim 88 (Previously presented): The method of claim 87, wherein the therapeutic agent is selected from the group consisting of rapamycin and tacrolimus.

Claim 89 (Previously presented): The method of any of claims 86, 87 or 88, wherein the composition comprises 2% of the therapeutic agent.

Claim 90 (Previously presented): The method of claim 88, wherein the therapeutic agent is tacrolimus and the composition comprises 1% of the therapeutic agent.

Claim 91 (Previously presented): A method to treat a disease affecting at least one of the choroid, retina, or uvea of an eye in a patient having diabetic retinopathy, age related macular degeneration, or retinitis pigmentosa, the method comprising administering to the eye a composition comprising between 0.1% (w/w) to 5% (w/w) of a therapeutic agent selected from the group consisting of immunophilin binding compounds in a pharmaceutically acceptable

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topical formulation for a duration to achieve an amount of therapeutic agent in the choroid, retina, or uvea sufficient to treat the disease.

Claim 92 (Previously presented): The method of claim 91, wherein the therapeutic agent is selected from the group consisting of rapamycin, tacrolimus, everolimus, pimecrolimus, SDZ-RAD, CCI-779, AP23841, ABT-578, and analogs and derivatives thereof.

Claim 93 (Previously presented): The method of claim 92, wherein the therapeutic agent is selected from the group consisting of rapamycin and tacrolimus.

Claim 94 (Previously presented): The method of any of claims 91, 92 or 93, wherein the composition comprises 2% of the therapeutic agent.

Claim 95 (Previously presented): The method of claim 93, wherein the therapeutic agent is tacrolimus and the composition comprises 1% of the therapeutic agent.

Claim 96 (Previously presented): The method of claim 76, wherein the patient has age related macular degeneration.

Claim 97 (Previously presented): The method of claim 77, wherein the patient has age related macular degeneration.

Claim 98 (Previously presented): The method of claim 78, wherein the patient has age related macular degeneration.

Claim 99 (Previously presented): The method of claim 79, wherein the patient has age related macular degeneration.

Claim 100 (Previously presented): The method of claim 80, wherein the patient has age related macular degeneration.

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Claim 101 (Previously presented): The method of claim 81, wherein the patient has age related macular degeneration.

Claim 102 (Previously presented): The method of claim 82, wherein the patient has age related macular degeneration.

Claim 103 (Previously presented): The method of claim 83, wherein the patient has age related macular degeneration.

Claim 104 (Previously presented): The method of claim 86, wherein the patient has age related macular degeneration.

Claim 105 (Previously presented): The method of claim 87, wherein the patient has age related macular degeneration.

Claim 106 (Previously presented): The method of claim 88, wherein the patient has age related macular degeneration.

Claim 107 (Previously presented): The method of claim 89, wherein the patient has age related macular degeneration.

Claim 108 (Previously presented): The method of claim 90, wherein the patient has diabetic retinopathy.

Claim 109 (Previously presented): The method of claim 76, wherein the patient has diabetic retinopathy.

Claim 110 (Previously presented): The method of claim 77, wherein the patient has diabetic retinopathy.

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Claim 111 (Previously presented): The method of claim 78, wherein the patient has diabetic retinopathy.

Claim 112 (Previously presented): The method of claim 79, wherein the patient has diabetic retinopathy.

Claim 113 (Previously presented): The method of claim 80, wherein the patient has diabetic retinopathy.

Claim 114 (Previously presented): The method of claim 81, wherein the patient has diabetic retinopathy.

Claim 115 (Previously presented): The method of claim 82, wherein the patient has diabetic retinopathy.

Claim 116 (Previously presented): The method of claim 83, wherein the patient has diabetic retinopathy.

Claim 117 (Previously presented): The method of claim 86, wherein the patient has diabetic retinopathy.

Claim 118 (Previously presented): The method of claim 87, wherein the patient has diabetic retinopathy.

Claim 119 (Previously presented): The method of claim 88, wherein the patient has diabetic retinopathy.

Claim 120 (Previously presented): The method of claim 89, wherein the patient has diabetic retinopathy.

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Claim 121 (Previously presented): The method of claim 90, wherein the patient has diabetic retinopathy.

Claim 122 (New): The composition of claim 30, wherein the composition comprises between 0.25% (w/w) to 2.5% (w/w) of rapamycin.

Claim 123 (New): The composition of claim 43, wherein the composition comprises between 0.25% (w/w) to 2.5% (w/w) of rapamycin.

Claim 124 (New): The composition of claim 30, wherein the composition is suitable for ophthalmic administration by intravitreal injection.

Claim 125 (New): The composition of claim 30, wherein the composition is suitable for ophthalmic administration by subconjunctival injection.

Claim 126 (New): The composition of claim 30, wherein the composition contains an amount of rapamycin effective to treat diabetic retinopathy.

Claim 127 (New): The composition of claim 38, wherein the composition is suitable for ophthalmic administration by intravitreal injection.

Claim 128 (New): The composition of claim 38, wherein the composition is suitable for ophthalmic administration by subconjunctival injection.

Claim 129 (New): The composition of claim 39, wherein the composition is suitable for ophthalmic administration by intravitreal injection.

Claim 130 (New): The composition of claim 39, wherein the composition is suitable for ophthalmic administration by subconjunctival injection.

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Claim 131 (New): The composition of claim 39, wherein the composition contains an amount of rapamycin effective to treat diabetic retinopathy.

Claim 132 (New): The method of claim 51, wherein the composition further comprises ethanol.

Claim 133 (New): The method of claim 57, wherein the composition further comprises ethanol.

Claim 134 (New): The method of claim 63, wherein the composition further comprises ethanol.